Passed
MS.
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Scott. II-27—39,004—24-10-44.

(12)

Home (1945) Department.

M. SERIES.

G.O. No. 4523

Dated 20-12-45

[Despatch Abstract.]

Courts - Civil - South Kanara district - Appointment of additional district munsif to the district munsif's court, Coondapur - Abolition - Ordered - Appointment of an additional dt. munsif to the dt. munsif's Court Udipi Sanctioned

46172 E
6.12.45

R.O.C.No.5111/45 D2.

From

P.T.Raman Nayar Esq., I.C.S.,
Registrar, High Court, Madras.

To

The Secretary to Government,
Home Department (with encls.)

Dated 4-12-45.

Sir,

Courts - Civil - South Kanara district.- appointment of additional District Munsif to D.M.C.Coondapur - abolition from 25-12-45 - appointment of additional District Munsif to the D.M.C.Udipi from 2-1-46 - recommended.- Reference G.O.MS.No.1113 Home Department dated 6-4-44.

In High Court's Proceedings R.Dis.No.337 of 1945 dated 17-3-1945, the Hon'ble the Judges sanctioned the continuance of the appointment of the additional District Munsif to the D.M.C.Coondapur and staff for a period of one year from 21-4-1945 in order to bring down the pendency of suits in Coondapur and also to give relief to the District Munsif's court, Udipi after the pendency in the D.M.C.Coondapur is brought within reasonable limits. The District Judge, South Kanara reports that the pendency in the District Munsif's court, Coondapur has been considerably reduced, as there were on 31-10-1945, 291 original suits pending of which 52 were over one year old and that the pendency is likely to come to normal by the end of December 1945. He therefore requests that the Additional District Munsif may be transferred to the D.M.C.Udipi for a period of one year from 1-1-46 in view of the heavy arrears of original suits in that court. (Copy of his letter enclosed).

2 The arrears in the D.M.C.Udipi on 31-10-1945 were 381 O.S. of which

168 were over one year old. On the basis of 387 O.S.(130 after full trial) disposed of by the District Munsif, Udipi during the current year from 1-1-45 to 31-10-45, the existing arrears alone irrespective of future institutions will provide sufficient work for about five months for two officers.

3 The Hon'ble the Judges therefore recommend that (1) the appointment of the additional District Munsif, Coondapur and staff be abolished from the forenoon of 25-12-1945 and (2) the appointment of an Additional District Munsif to the D.M.C.Udipi with the usual staff be sanctioned for the present from 2nd January 1946 upto the commencement of the summer recess 1946 for that court.

4 Necessary provision has been made in the current year's budget and the draft budget for 1946-47 for the retention of an Additional District Munsif and staff at Coondapur in order to give relief to the D.M.C.Udipi also.

P. T. Raman
REGISTRAR.

Copy to the District Judge, South Kan_

MA

Copy of letter No.A 599/1945 dated 19th November 1945 from the District Judge of South Kanara to the Registrar, High Court of Judicature, Madras.

Sub: Courts- Civil - South Kanara district- Appointment of Additional District Munsif for District Munsif's court, Coondapur - Transfer of Additional District Munsif, Coondapur to the District Munsif's court, Udipi - Orders solicited.

Ref: Letter No.A 71/45 dated 16-2-45 from this court and High Court's Proceedings R.Dis No.337/45 dated 17-3-45.

I have the honour to state that in the High Court Proceedings quoted above, the High Court was pleased to extend the term of sanction of the Additional District Munsif to the District Munsif's court, Coondapur, by one year from 21-4-45 and gave a direction that as soon as the pendency in the District Munsif's court, Coondapur, is reduced to normal, the officer could be transferred to the District Munsif's court, Udipi, as Additional District Munsif to clear off arrears there.

2. The Additional District Munsif has been functioning in the District Munsif's court, Coondapur from 15-6-1944. There were 498 original suits pending in that court on 30-6-44. Out of these 140 were over a year old. Through the efforts of the two officers the pendency has been considerably reduced. On 31-10-45 there were 291 original suits pending, out of which 52 were over a year old. It is expected that the pendency of suits in this court would come to normal by the end of December 1945. The additional court can be withdrawn early in January 1946. It is not clear, however, whether the sanction of the Government would be required for the transfer of the Additional District Munsif of Coondapur to the District Munsif's court of Udipi as the additional officer, in view of High Court R.Dis No.1017/45 dated 17-10-45.

3. There were 354 original suits pending in the District Munsif's Court, Udipi, on 1-1-44, out of which 145 were over a year old. 446 suits were instituted in this court in 1944 and 458 were disposed of 125 after full trial. The number pending on 31-12-44 was 351, out of which 140 were over a year old. The pendency has not decreased thereafter. On31-10-45 there were 381 suits pending in this court and 168 out of these were over a year old. The appointment of an Additional officer to this court for a year at least from 1-1-46 seems imperative. I therefore request that orders may be obtained for the appointment of an Additional District Munsif and necessary staff to the District Munsif's court of Udipi for a period of one year with effect from 1-1-46 or such other date as the High Court may be pleased to fix.

4. A statement in duplicate showing the institutions and disposals and arrears of suits in the several District Munsifs' courts in the district for the year 1944 and for the current year up to 31-10-1945 is enclosed.

(True copy).

Sub Assistant Registrar,
Administrative Department

HA
aur

Statement showing the institutions, disposals and arrears in the several district Munsif's Courts in the District of South Kanara for the year 1944 and 1945 up to 31-10-1945.

Name of the Presiding officer	Period presided over.	Instituted	Disposed of		Still pending	
			After full trial	Total	Total	Old
District Munsifs Court, Coondapur.						
Original Suits						
1944						
Sri U.Narayana Rao	1-1-44 to 31-12-44	--	107	395	--	--
D.Subba Rao Additional District Munsif	15-6-44 to 6-10-44	--	51	129	--	--
Abdur Rahim Ahmed Additional Dt. Munsif	19-10-44 to 31-12-44	--	26	78	--	--
		535	184	602	402	118
1945						
Sri U.Narayana Rao Dt. Munsif from 4-5-45 and 7-9-45 to 31-10-45)	1-1-45 to 31-10-45		97	256		
Mr. Abdur Rahim Ahmede Additional District Munsif.	1-1-45 to 7-4-45 and 2-6-45 to 6-9-45		73	229		
Sri E.Krishnamurthi Principal Dt.Munsif	10-4-45 to 1-6-45		6	11		
Sri M.Ramamurthi Principal Dt.Munsif	7-9-45to 31-10-45		31	75		
		430	207	571	291	52
Small Cause Suits						
1944						
Sri U.Narayana Rao	1-1-44 to 31-12-44	--	44	379	--	--
Sri D.Subba Rao Additional Dt.Munsif	15-6-44 to 6-10-44	--	18	112	--	--
Mr. M.Abdur Rahim Ahmed Additional Dt.Munsif	19-10-44 to 31-12-44		11	81		
		546	73	572	94	28
1945						
Sri U.Narayana Rao	1-1-45 to 31-10-45		23	265		
MrAbdur Rahim Ahmed. Additional Dt.Munsif	1-1-45 to 9-4-45 and 2-6-45 to 6-9-45		17	196		
Sri E.Krishnamurthi Principal Dt.Munsif	10-4-45 to 1-6-45					

Sri M.Ramamurthi Principal Dt.Munsif	7-9-45 to 31-10-45	8	61	--		
		553	49	531	123	29

District Munsif's Court, Karkal.

Original Suits.

1944 Sri B.Koragappa	1-1-44 to 31-12-44	413	151	448	295	76
1945 do.	1-1-45 to 31-10-45	368	115	385	296	61

Small Cause Suits.

1944 Sri B.Koragappa	1-1-44 to 31-12-44	360	56	373	49	8
1945 do.	1-1-45 to 31-10-45	289	49	291	49	--

District Munsif's Court, Kasaragod.

Original Suits.

1944 Mr. P.A.Nazareth, Principal Dt.Munsif	1-1-44 to 19-4-44 and 24-12-44 to 31-12-44		235	508		
Mr. C.L.Colaco Principal Dt.Munsif	20-4-44 to 23-12-44		21	164		
Sri G.Nagi Reddi Additional Dt.Munsif	1-1-44 to 21-2-44		26	55		
Mr Mahammed Ghouse Saheb Bahadur Additional Dt.Munsif	29.3.44 to 19-4-44		6	30		
		846	268	757	798	205
1945 Sri P.A.Nazareth	1-1-45 to 31-10-45		204	446		
Sri A.M.K.Nambudripad, Additional Dt.Munsif	1-1-45 to 31-10-45		173	378		
		732	377	824	739	168

Small Cause Suits.

1944 Mr. P.A.Nazareth Principal Dt.Munsif	1-1-44 to 19-4-44 and 24-12-44 to 31-12-44		85	316		
Mr. C.L.Colaço Principal Dt.Munsif	20-4-44 to 23-12-44		10	146		
Sri G.Nagi Reddi Additional Dt.Munsif	1-1-44 to 21-2-44		16	41		
Mr. Mahammad Ghouse Saheb Bahadur Additional Dt.Munsif	29-3-44 to 19-4-44		14	23		
		516	125	526	133	35

1945						
Mr. P.A.Nazareth Principal Dt.Munsif	1-1-45 to 31-10-45	--	74	247		
Sri A.M.K.Nambudripad, Additional District Munsif	1-1-45 to 31-10-45		34	205		
		442	108	452	125	27

District Munsif's Court, Mangalore.

Original Suits.

1944						
Sri E.Krishnamurthi	1-1-44 to 3-9-44		154	293		
Mr. Abdur Rahim Ahmed	14-9-44 to 11-10-44		15	40		
Sri D.Subba Rao	12-10-44 to 31-12-44		39	78		
		440	208	411	321	42
1945						
Sri D.Subba Rao	1-1-45 to 16-10-45		160	319		
Mr Muhammad Ghouse Saheb Bahadur	23-10-45 to 31-10-45		4	13		
		328	164	332	328	59

Small Cause Suits.

1944						
Sri E.Krishnamurthi	1-1-44 to 3-9-44		59	338		
Mr. Abdur Rahim Ahmed	14-9-44 to 11-10-44		5	58		
Sri D.Subba Rao	12-10-44 to 31-12-44		17	106		
		539	81	502	143	51
1945						
Sri D.Subba Rao	1-1-45 to 16-10-45		83	408		
Mr. Muhammad Ghouse Saheb Bahadur	23-10-45 to 31-10-45		3	24		
		423	91	432	139	38

There was no presiding officer from 4-9-44 to 13-9-44

District Munsif's Court, Puttur

Original Suits

1944						
Sri P.R.Venkatesha Ayyar	1-1-44 to 24-4-44		77	129		
Mr. Muhammad Ghouse Saheb Bahadur	8-6-44 to 31-12-44		147	345		
		381	224	474	247	29

1945 Mr. Muhammad Ghouse Sheb Bahadur 1-1-45 to 16-10-45	--	152	336		
The court was without a presiding officer from 17-10-45 to 31-10-45					
	291	152	336	226	16
Small Cause Suits.					
1944 Mr. D.R.Venkatesha Ayyar 1-1-44 to 24-4-44		15	71		
Mr. Muhammad Ghouse Saheb Bahadur 8-6-44 to 31-12-44		39	195		
	263	54	286	40	4
1945 Mr. Mahammad Ghouse Saheb Bahadur 1-1-45 to 16-10-45		30	212		
	220	30	212	53	--

District Munsif's Court, Udipi.

Original Suits.

1944 Mr. D Noronha 1-1-44 to 31-12-44	446	125	458	351	140
1945 do. 1-1-45 to 31-10-45	404	130	387	381	168
Small Cause Suits.					
1944 Mr. D.Noronha 1-1-44 to 31-12-44	505	62	531	118	73
1945 do 1-1-45 to 31-10-45	516	61	477	160	49

District Court, South Kanara,)
Mangalore, 19th November 1945)

District Judge.

Rw 20/12/45 Issue today

(C.No.46172E) 22.12.45 Home Dept

Court - Civil - South Kanara district - Appointment of additional district munsif to the dt. munsif's Court, Coondapur - Abolition - Ordered - Appointment of an additional district munsif to the dt. munsif's Court, Udipi - Sanctioned.

Read again: G.O. 1113 Home dated 6.4.44

Read also: From the High Court R.O.C. No. 5111/45-D2 dated 4.12.45

G.O.Ms. No. 4523 dated 20/12/45

The Government direct that the appointment of additional district munsif, Coondapur and the establishment, the retention of which was last sanctioned in the High Court's proceedings R.Dis. No. 337/45 dated 17.3.45 be abolished with effect from the forenoon of 25th December 1945.

2. Sanction is accorded:-

(i) to the appointment of an additional district munsif to the district munsif's court, Udipi from the 2nd January 1946 till the commencement of the summer recess of that court for 1946, and

(ii) to the addition to the establishment of the district munsif's court, Udipi, of three clerks on Rs. 30-55 and three peons on Rs. 12-17 each per mensem so long as the number of officers presiding over that Court remains at two.

3. The expenditure should be met from the appropriation under the head "27. - Administration of Justice - B. Mufassal Civil and Sessions courts - Regular establishment - Authorised."

4. The following notification will be published in the Fort St. George Gazette:-

Notification

Under section 4 of the Madras Civil Courts Act, 1873 (III of 1873), as amended by

Madras Act III of 1925, His Excellency the Governor of Madras, after consultation with the High Court hereby directs

(i) that the number of district munsifs to be appointed to the district munsifs Court, Coondapur, in the district of South Kanara shall be one with effect from the forenoon of 25th December 1945 and

(ii) that the number of district munsifs to be appointed to the district munsifs court, Udipi shall be two with effect from the 2nd January, 1946.

11.12.45

11.12.45

To the Hon. the C. J.
A.G. through the Finance Deptt.
S.G.P. for publication of the notfn. in the Gazette (para 4 only)
Dt. judge, South Kanara

N.Y. 10

C.C.No. 46172E) Home Dept.

Courts – Civil – South Kanara district – Appointment of additional district munsif, Coondapur – Abolition from 25-12-45 – Appointment of additional district munsif to the district munsif's Court, Udipi.

pp 1-2 of ... From the High Court R.O.C. No. 5111/45-D2 d. 4-12-45

The Hon. the judges of the High Court recommend the abolition of the appointment of additional district munsif to the district munsif's court, Coondapur from 25-12-45 and the appointment of an additional district munsif to the district munsif's Court, Udipi in the South Kanara district with the usual establishment of three clerks and three peons ~~from the date of~~ from 2-1-46 upto the commencement of the summer recess of that Court for 1946.

para 3 p 2 of.

2. Abolition of the additional district munsif's Court, Coondapur:

The appointment of the additional district munsif to the district munsif's Court, Coondapur ~~was~~ sanctioned in G.O. No. 1113 Home dated 6-4-44 from the date of the reopening of that ~~Court~~ after its summer recess in 1944 till the date of ~~the date of~~ the closing of the Court for the Summer recess in 1945. In ~~the High Court~~ proceedings R. Dis. No. 337/45 dated 17-3-45 the High Court sanctioned ~~the~~ the continuance of this Court for a period of one year from 21-4-45. In view of A on page 1 of, the additional district munsif's Court, Coondapur may be abolished from 25-12-45.

ref para 3 p 2 of. A

3. Appointment of an additional district munsif to the district munsif's Court, Udipi.

The following statement shows the state of work in the district munsif's Court, Udipi since 1942:

	Original Suits			Small Cause Suits		
	Ins.	Dis.	Pen.	Ins.	Dis.	Pen.
1942	532	515	258	604	586	128
1943	437	347	354 (145)	489	468	147 (98)
1944	446	458	351 (140)	505	531	118 (73)
1945 (upto 31-10-45)	404	387	381 (168)	516	477	160 (49)
	81					
	485					

It will be seen that the pendency under original suits as well as under Small cause suits on 31-10-45 is the highest since 1942. Please see para 3 of page 4 of the District judge's letter on page 4 cf. On the basis of the standard outturn of 145 original suits fixed for the district munsif, after full bench Vedipi the pendency of 168 old original suits on 31.10.45 alone represents work for a years for a single officer. The Dt. judge has asked for the appointment of the additional district munsif, Vedipi for a period of one year. But the Hon. the judges recommend the appointment of the additional officer for the present from 2-1-46 upto the Commencement of the summer recess of that Court for 1946 it is (i.e. about 3 months & 3 weeks) for orders whether the High Court's recommendation at A on page 2 cf. may be accepted.

4. The High Court has stated that necessary provision has been made in the current year's budget and the draft budget for 1946-47 for the retention of an additional district munsif and staff at Coondapur in order to give relief to the R.H.C. Vedipi. The cost can therefore be met by reappropriation.

5. Subject to orders at A on f. 1 ante and B above a draft order is submitted for approval Finance may see for acceptance before circulation

574.5 ET

Home No. 46172-E/45-1 12.12.45

11-12-45

11-12-45

CO

Fin

SECRETARY TO GOVERNMENT 12 DEC 1945 HOME DEPARTMENT

9

Fin. (E.I.)

Please see the Home dept.'s note on pp. 1-2 above which explains the proposal in this case.

On the circumstances stated there the proposal to sanction the appointment of one additional District Munsif with the usual staff for the District Munsif's Court, Kadiri for the period from 2.1.46 to the date of closure of the Court for the Summer recess in 1946 may be agreed to and the draft order accepted.

~~Dy~~ WS

The extra cost on account of the additional staff proposed to be sanctioned works out to Rs. 2775 for about 3 months and 3 weeks. ~~If the additional staff is to be continued later, A-t will have to see the case as its cost is likely to exceed the limit of Rs. 3000/-.~~

DR
14.12.45.

WS
15.12.45
Home.

47611/E
17.12.45

JOINT SECRETARY TO GOVERNMENT
17 DEC 1945
HOME DEPARTMENT

Seen.
17.12.45 F. & I. T.

SECRETARIAT GOVERNMENT
17 DEC 1945
HOME DEPARTMENT

Home Dept.

Please see the Finance Dept's note above. ~~[illegible]~~ Have accepted the proposal.

For orders as to circulation.

8-12-45

18-12-45.

18/12/45

Draft under placed below is for approval.

19/12/45 Asst.

19.12.45

(Issued as Govt. Memo. No. 4523 Home dated 20-12-45)

pp. 9 : 1

JOINT SECRETARY TO GOVERNMENT
20 DEC 1945
HOME DEPARTMENT